

request a hearing within 10 days of the date of publication. Any hearing, if requested, will be held as early as is convenient for the parties but not later than 44 days after the date of publication of this notice or the first work day thereafter. Case briefs or other written comments from interested parties may be submitted not later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttal comments, limited to issues in the case briefs, may be filed not later than 37 days after the date of publication. The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any such written comments.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with section 751(a) (1) of the Act (19 U.S.C. 1675(a) (1)) and 19 CFR 353.22.

Dated: July 6, 1995.

**Susan G. Esserman,**  
Assistant Secretary for Import  
Administration.

[FR Doc. 95-17348 Filed 7-13-95; 8:45 am]

BILLING CODE 3510-DS-P

[C-351-005]

### **Frozen Concentrated Orange Juice From Brazil; Termination of Administrative Review of Suspended Countervailing Duty Investigation**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Termination of Administrative Review of Suspended Countervailing Duty Investigation.

**SUMMARY:** On April 14, 1995, the Department of Commerce ("the Department") initiated an administrative review of the suspended countervailing duty investigation on frozen concentrated orange juice from Brazil. The Department is now terminating this review.

**EFFECTIVE DATE:** July 14, 1995.

**FOR FURTHER INFORMATION CONTACT:** Alain Letort or Linda Ludwig, Office of

Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone (202) 377-3793 or telefax (202) 377-1388.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On April 14, 1995, the Department of Commerce published in the **Federal Register** a notice of initiation of administrative review of the suspended countervailing duty investigation on frozen concentrated orange juice from Brazil (60 FR 19017) at the request of the Associação Brasileira dos Exportadores de Cítricos ("ABECitrus") and its member exporters. This notice stated that we would review information submitted by ABECitrus and its member exporters for the period January 1, 1994 through December 31, 1994. ABECitrus and its member exporters subsequently withdrew their request for review on June 19, 1995. Under § 355.22(a)(3) of the Department's regulations, a party requesting a review may withdraw that request no later than 90 days after the date of publication of the notice of initiation. Because the withdrawal by ABECitrus and its member exporters occurred within the time frame specified in 19 CFR 355.22(a)(3), and no other interested party has requested an administrative review for this period, the Department is now terminating this review.

This notice is published pursuant to § 355.22(a)(3) of the Department's regulations (19 CFR 355.22(a)(3)).

Dated: July 10, 1995.

**Roland L. MacDonald,**  
Acting Deputy Assistant Secretary for  
Compliance.

[FR Doc. 95-17349 Filed 7-13-95; 8:45 am]

BILLING CODE 3510-DS-P

#### **Export Trade Certificate of Review**

**ACTION:** Notice of Issuance of an amended Export Trade Certificate of Review, Application No. 92-4A001.

**SUMMARY:** The Department of Commerce has issued an amendment to the Export Trade Certificate of Review granted to the Aerospace Industries Association of America, Inc. ("AIA") on June 26, 1995. Notice of the original Certificate was published in the **Federal Register** on April 17, 1992 (57 FR 13707).

**FOR FURTHER INFORMATION CONTACT:** W. Dawn Busby, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR part 325 (1993).

The Office of Export Trading Company Affairs is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

#### **Description of Amended Certificate**

Export Trade Certificate of Review No. 92-00001 was issued to Aerospace Industries of America, Inc. on April 10, 1992 (57 FR 13707) and previously amended on September 8, 1992 (57 FR 41920, September 14, 1992), October 8, 1993 (58 FR 53711, October 18, 1993), and November 17, 1994 (59 FR 60349, November 23, 1994). AIA seeks to amend its Certificate to:

1. Delete the following companies as "Members" of the Certificate: Aluminum Company of America, Cleveland, Ohio; Dynamic Engineering Inc., Newport News, Virginia; Reflectone, Inc., Tampa, Florida; and Vought Aircraft Company, Dallas, Texas.

2. Change the listing of the following current "Members" as follows: Change the name of HEICO Corporation to HEICO Aerospace Corporation, Hollywood, California; DuPont Company to E.I. du Pont de Nemours and Company, Wilmington, Delaware; Williams International to Williams International Corporation, Walled Lake, Michigan.

3. Change the name and address of Aerojet, a Segment of GenCorp, Rancho Cordova, California to Aerojet-General Corporation, Sacramento, California; AlliedSignal Aerospace Company, Torrance, California to AlliedSignal, Inc., Morristown, New Jersey; Dowty Aerospace Los Angeles, Duarte, California to Dowty Decoto, Inc., Yakima, Washington; Lucas Aerospace, Inc., Brea, California to Lucas Industries Inc., Reston, Virginia.

4. Change the address of Hexcel Corporation from Dublin, California to Pleasanton, California; Digital Equipment Corporation from Marlboro, Massachusetts to Maynard, Massachusetts; ITT Defense and

Electronics, Inc. from Arlington, Virginia to McLean, Virginia; and Rockwell International Corporation from El Segundo, California to Seal Beach, California.

A copy of the amended certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

Dated: July 11, 1995.

**W. Dawn Busby,**

*Director, Office of Export Trading Company Affairs.*

[FR Doc. 95-17353 Filed 7-13-95; 8:45 am]

BILLING CODE 3510-DR-P

## National Institute of Standards and Technology

### Judges Panel of the Malcolm Baldrige National Quality Award

**AGENCY:** National Institute of Standards and Technology Department of Commerce.

**ACTION:** Notice of closed meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C. app. 2, notice is hereby given that there will be a closed meeting of the Judges Panel of the Malcolm Baldrige National Quality Award on Wednesday, August 9, 1995. The Judges Panel is composed of nine members prominent in the field of quality management and appointed by the Secretary of Commerce. The purpose of this meeting is to review the 1995 Award applications and to select applications to be considered in the site visit stage of the evaluation. The applications under review contain trade secrets and proprietary commercial information submitted to the Government in confidence.

**DATES:** The meeting will convene August 9, 1995, at 8 a.m. and adjourn at 5 p.m. on August 9, 1995. The entire meeting will be closed.

**ADDRESSES:** The meeting will be held at the National Institute of Standards and Technology, Administration Building, Gaithersburg, Maryland 20899.

**FOR FURTHER INFORMATION CONTACT:** Dr. Curt W. Reimann, Director for Quality Programs, National Institute of Standards and Technology, Gaithersburg, Maryland 20899, telephone number (301) 975-2036.

**SUPPLEMENTARY INFORMATION:** The Assistant Secretary for Administration, with the concurrence of the General Counsel, formally determined on March 3, 1994, that the meeting of the Panel of

Judges will be closed pursuant to Section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. app. 2, as amended by Section 5(c) of the Government in the Sunshine Act, P.L. 94-409. The meeting, which involves examination of records and discussion of Award applicant data, may be closed to the public in accordance with Section 552b(c)(4) of Title 5, United States Code, since the meeting is likely to disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential.

Dated: July 7, 1995.

**Samuel Kramer,**

*Associate Director.*

[FR Doc. 95-17316 Filed 7-13-95; 8:45 am]

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## Patent and Trademark Office

[Docket No. 950706172-5172-01]

### Utility Examination Guidelines

**AGENCY:** Patent and Trademark Office, Commerce.

**ACTION:** Notice.

**SUMMARY:** The Patent and Trademark Office (PTO) is publishing the final version of guidelines to be used by Office personnel in their review of patent applications for compliance with the utility requirement. Because these guidelines govern internal practices, they are exempt from notice and comment and delayed effective date rulemaking requirements under 5 U.S.C. 553(b)(A).

**EFFECTIVE DATE:** July 14, 1995.

**FOR FURTHER INFORMATION CONTACT:** Jeff Kushan by telephone at (703) 305-9300, by fax at (703) 305-8885, by electronic mail at kushan@uspto.gov, or by mail marked to his attention addressed to the Commissioner of Patents and Trademarks, Box 4, Washington, DC 20231.

### SUPPLEMENTARY INFORMATION:

#### I. Discussion of Public Comments

Forty-four comments were received by the Office in response to the request to public comment on the proposed version of utility guidelines published on January 3, 1995 (60 FR 97). All comments have been carefully considered. A number of changes have been made to the examining guidelines and the legal analysis supporting the guidelines in response to the comments received.

Many of the individuals responding to the request for public comments suggested that the Office address the relationship between the requirements

of 35 U.S.C. 112, first paragraph, and 35 U.S.C. 101. The Office has amended the guidelines to provide a clarification consistent with these requests. The guidelines now specify that any rejection based on a "lack of utility" under section 101 should be accompanied by a rejection based upon section 112, first paragraph. The guidelines also specify that the procedures for imposition and review of rejections based on lack of utility under section 101 shall be followed with respect to the section 112 rejection that accompanies the section 101 rejection.

A suggestion was made that the guidelines should be modified to provide that an application shall be presumed to be compliant with section 112, first paragraph, if there is no proper basis for imposing a section 101 rejection. This suggestion has not been followed. Instead, the guidelines specify that section 112, first paragraph, deficiencies other than those that are based on a lack of utility be addressed separately from those based on a lack of utility for the invention.

Several individuals suggested that the guidelines address how section 101 compliance will be reviewed for products that are either intermediates or whose ultimate function or use is unknown. The Office has amended the guidelines to clarify how it will interpret the "specific utility" requirement of section 101.

Some individuals suggested that the guidelines be amended to preclude Examiners from requiring that an applicant delete references made in the specification to the utility of an invention which are not necessary to support an asserted utility of the claimed invention. The guidelines have been amended consistent with this suggestion.

One individual suggested that the legal analysis be amended to emphasize that any combination of evidence from *in vitro* or *in vivo* testing can be sufficient to establish the credibility of an asserted utility. The legal analysis has been amended consistent with this recommendation.

A number of individuals questioned the legal status of the guidelines, particularly with respect to situations where an applicant believes that a particular Examiner has failed to follow the requirements of the guidelines in imposing a rejection under section 101. The guidelines and the legal analysis supporting the guidelines govern the internal operations of the Patent and Trademark Office. They are not intended to, nor do they have the force and effect of law. As such they are not substantive rules creating or altering the